

COMMITTEE OF THE WHOLE

13-033-O

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER IV, SECTION 21, OF THE CITY CHARTER RELATING TO POLITICAL ACTIVITIES OF CITY EMPLOYEES.

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That Chapter IV, Section 21 of the 1912 Home Rule Charter of the city of Duluth, as amended, is hereby amended, to read as follows:

Section 21. At the head of each department there shall be an officer of the city, who shall have control and direction of the department subject to the general supervision of the chief administrative officer. The head of each department shall, with the approval of the chief administrative officer, have the power to appoint and remove all officers and employees of the department subject to the civil service provisions of this Charter; provided, that the equal opportunity representative shall be appointed by the mayor with the approval of the city council and may only be removed by the mayor with the approval of the city council. Two or more departments may be headed by the same individual and the chief administrative officer may head one or more departments, and heads of the departments may also serve as chiefs of divisions thereof as may be established by ordinance, upon recommendation by the mayor. The authority herein conferred upon the chief administrative officer is granted subject to the limitations contained in Section 19 of this Charter.

Each department head shall possess the necessary qualifications to insure efficient administration of such department. The council by ordinance shall establish appropriate minimum qualifications for department heads, the deputy fire chief, the deputy chief of police and the equal opportunity representative.

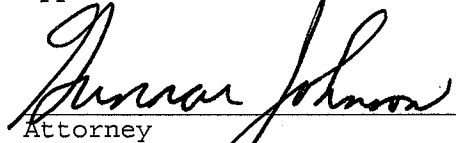
~~A municipal employee who wishes to run for political office shall, before commencing the campaign for such office, apply for and obtain a leave of absence from such employee's municipal position. Except in the case of municipal emergency leave of absence shall be granted by the appropriate authority to every municipal employee desiring such leave for the purpose of running for political office. For the purposes of this Section, the term "political office" shall not be deemed to include a position on the board of education of the city of Duluth.~~

No officer or employee of the city may use their official authority or influence to compel another officer or employee of the city to apply for membership in or become a member of a political organization, to pay or promise to pay a political contribution or to take part in political activity.

All city employees shall retain the right to vote as they may choose and to express their opinions on all political subjects and candidates.

Section 2. That this ordinance shall take effect 90 days after its passage and publication.

Approved as to form:

  
Attorney

ATTY GBJ:ojk 5/3/2013

STATEMENT OF PURPOSE: Section 1 of this ordinance eliminates the requirement that a city employee running for political office must take a leave of absence from city employment and adds to the City Charter the prohibitions related to employee political activities codified in Minn. Stat. §211B.09.

The proposed charter change was reviewed and recommended by the Charter Commission at its meeting of April 10, 2013.

This ordinance requires a unanimous vote for approval.